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LATHAM & WATKINS LLP
SAN DIEGO REGIONAL
WATER QUALITY
CONTROL BOARD

2010 NOV 22 P 3:00

November 19, 2010

VIA E-MAIL & FEDERAL EXPRESS

Executive Officer Gibson and Honorable Board Members
San Diego Regional Water Quality Control Board
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File No. 503154-0000

Re: Revised Tentative Order No. R9-2010-0124, NPDES No. CAG999002; General Waste Discharge Requirements for Discharges Associated With The Public Display Of Fireworks To Surface Waters in the San Diego Region

Dear Mr. Gibson and Honorable Board Members:

This letter is submitted in response to the November 17, 2010 public notice regarding a public workshop that the California Regional Water Quality Control Board, San Diego Region ("San Diego Water Board") has scheduled to hold on December 16, 2010 regarding a Revised Tentative Order No. R9-2010-0124 ("Revised Tentative Order"). The notice indicated that a public workshop has been scheduled in advance of any public distribution of a forthcoming Revised Tentative Order, with no specific date provided when such public distribution will be accomplished. As you know, many stakeholders objected to the Tentative Order and the fast-track schedule proposed in October to implement a first-in-the-nation NPDES permitting program for fireworks by November 2010. The Revised Tentative Order will raise significant legal, technical, economic, and practical considerations that will affect many stakeholders. It makes little sense to schedule a workshop without giving the public the benefit of sufficient time to review the yet-to-be released Revised Tentative Order.

We respectfully request that the Regional Board postpone any public workshop on the Revised Tentative Order and provide at least thirty (30) days, excluding the upcoming Thanksgiving holidays, following the forthcoming release to allow all interested persons the reasonable opportunity to review and comment prior to the workshop. Unless the public is allowed sufficient time to thoroughly review and analyze the Revised Tentative Order, any comments submitted or obtained at the public workshop would be premature and incomplete.

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Please feel free to contact me if you have any questions. Thank you for your consideration of this matter.

Very truly yours,

LBR

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